<center>**REMARKS**</center>

Claims 15, 16, 19, 20, 23, 26, 27, 29, 30, 34 and 37 have been amended. Claims 21, 22 and 31 have been cancelled. Therefore, claims 1-20, 23-30, and 31-37 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Claim objections:

The Examiner objected to claims 2 and 21 "as being of improper dependent form for failing to further limit the subject matter of a previous claim."

Regarding claim 21, Applicant respectfully disagrees with the Examiner. The Examiner asserts, "accessing a web site can be considered being 'associated with an event defined by said computer.'" However, claim 21 recites "wherein said time value is associated with an event defined by said computer *user*" (italics added). Specifying that the time value is associated with an event defined by the computer user is different from, and further limits, claim 20, which recites, "wherein said request comprises an Internet address and a time value *corresponding to said first computer user* accessing said web site" (italics added). Thus, claim 20 indicates that the time value corresponds to the first computer user that is accessing the web site and claim 21 specifies that the time value is also associated with an event defined by that user. Thus, claim 21 does further limit the subject matter of claim 20.

Similarly, claim 2 recites, "wherein said time value is associated with a user-defined event", which further limits the subject matter of claim 1, from which claim 2 depends. Specifically, claim 1 recites "sending a request for information to said first computer, wherein said information comprises a first Internet address and a first time value corresponding to said first computer." Thus, claim 2 indicates that the time value corresponding to the first computer is also associated with a user-defined event. Thus, claim 2 further limits the subject matter of claim 1.

Therefore, Applicant respectfully requests removal of the Examiner's objection to claims 2 and 21.

Section 102(e) Rejection:

The Examiner rejected claims 16, 18-22, 24, 26, 28-31, 33, 34, 36 and 37 under 35 U.S.C. § 102(e) as being anticipated by Shapira et al. (U.S. Patent 6,925,442) (hereinafter "Shapira"). Applicant respectfully traverses this rejection for at least the reasons below.

Regarding claim 16, Shapira fails to disclose **storing one or more identifies, wherein each identifier corresponds to a computer user accessing a web site, where each identifier comprises an Internet address and a time value, where the time value is associated with a launch of a web browser on a client computer system**. The Examiner cites, regarding claims 2 and 3, column 5, lines 4 – 19 of Shapira. However, the cited passage does not describe anything regarding storing identifiers corresponding to computer users accessing a web site, where each identifier includes an Internet address an a time value, *where the time value is associated with a launch of a web browser on the client computer system*. Instead, the cited passage describes how when a visitor clicks on a link to request a web page, the click generates a traffic data hit, such as a request for a web server to provide the visitor with a particular web page. In response, the web server sends a reply to the visitor including the requested web page. Nothing is mentioned regarding a time value associated with a launch of a web browser on a client computer. In fact, nowhere does Shapira associate a time value with the launch of a web browser on a client computer.

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the

claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Shapira does not disclose **storing one or more identifies, wherein each identifier corresponds to a computer user accessing a web site, where each identifier comprises an Internet address and a time value<u>, where the time value is associated with a launch of a web browser on a client computer system</u>**. Thus, Shapira cannot anticipate claim 16.

For at least the reasons above, the rejection of claim 16 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claims 19, 30, 34 and 37.

Regarding claim 20, Shapira fails to disclose **receiving a request from a first computer user to access the web site, wherein said request comprises an Internet address and a time value corresponding to said first computer user accessing said web site, <u>where the time value reflects a time at which a computer used by the first computer user to access the web site was synchronized with a global time standard</u>**. Shapira fails to mention anything about a time at which a computer was synchronized with a global time standard or about receiving a request to access a web site, where the request includes a time value that reflects a time at which a computer was synchronized with a global time standard. Shapira clearly fails to anticipate claim 20.

Furthermore, in case the Examiner intends a §103 rejection in view of Bodnar as in the rejection of claim 4, Applicant submits that Bodnar also fail to mention anything regarding a time value reflecting a time at which a computer was synchronized with a global time standard.

For at least the reasons above, the rejection of claim 20 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claims 26 and 29.

Section 103(a) Rejection:

The Examiner rejected claims 1-3, 5, 7-9, 11, 12, 14 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Shapira in view of Gerace (U.S. Patent 5,991,735). Applicant respectfully traverses this rejection for at least the following reasons.

Regarding claim 1, Shapira in view of Gerace fails to teach or suggest **storing one or more records in a database, where each record comprises an Internet address and a time value, <u>where each record corresponds to a different computer accessing the web site</u>**. Shapira teaches a system that analyzes a web site's log files that track *every* exchange of traffic data between the web sit and other computers to match visitors with advertising campaigns and to determine the value or quality of visitors. The Examiner cites column 4, lines 27 – 50 and column 7, line 42 – column 8, line 6 of Shapira. However, Shapira, whether considered singly or in combination with Gerace fails to mention anything regarding storing records in a database, where each record includes an Internet address and a time value and where *each record corresponds to a different computer accessing the web site.* Instead Shapira teaches storing all traffic hit data in a log file. Specifically, Shapira teaches storing *every exchange* of traffic data between a web site and other computers over the Internet. In fact, Shapira teaches analyzing every hit from a visitor to determine the start and end of a visitor's session based on the time between hits. Shapira clearly teaches storing all traffic hit data in the web log (see, e.g., Shapira, column 2, lines 29-33; column 3, lines 25-31 and lines 45-53; column 5, lines 39-50 and line 56- column 6, line 2). Thus, Shapira's system does not include a database where each record corresponds to a different computer accessing the web site.

The Examiner does not rely upon Gerace to teach storing recording including an Internet address and a time value, where each record corresponds to a different computer accessing the web site. In fact, Gerace, whether considered singly or in combination with Shapira, also fails to teach or suggest this limitation of claim 1. Thus, the Examiner's combination of Shapira in view of Gerace clearly fails to teach or suggest **storing one or**

more records in a database, where each record comprises an Internet address and a time value, **where each record corresponds to a different computer accessing the web site**.

Further regarding claim 1, Shapira in view of Gerace fails to teach or suggest **receiving a first request from a first computer to access the web site, <u>sending a request for information to the first computer, where the information includes a first Internet address and a first time value corresponding to the first computer,</u> receiving the information and determining whether a matching record for the first Internet address and the first time value exists in the database**. The Examiner admits that Shapira fails to teach sending a request for information including an Internet address and a first time value corresponding to the first computer in the context of receiving a request from the first computer to access a web site and determining whether a matching record for the Internet address and time value. The Examiner relies on Gerace, citing column 13, line 56 – column 14, line 25 and column 16, lines 45 –55. Gerace teaches requesting login information, such as a user name and password, from a user accessing a web site and then creating a cookie to store a unique user ID code, the time and date of login, and a computer ID number. Gerace teaches that when a user requests a web page, the web server transmit a login advertisement screen view and a request for the cookie.

However, there is no need in Shapira's system to use the cookies of Gerace. Shapira already teaches a valid way to acquire an Internet address and a time value corresponding to a computer accessing a web site. Shapira teaches that each time a computer accessing the web server, the traffic data his is stored in a log file. Each record in the log file includes the IP address and the date/time of the access (Shapira, column 4, lines 26-49). Shapira teaches that the log of hit information is then analyzed to assign qualification profiles to the visitor's session in order to evaluate the quality and/or value of the visitor. Since Shapira's system already includes determining the IP address and the date/time of access from the traffic hit data supplied when the client computer requests access to web pages. Thus, there is no need to modify Shapira's system to

include the cookies of Gerace. The Examiner has not provided any reasons why one would be motivated to modify Shapira's system to no longer use the traffic hit data stored in Shapira's log files and instead use Gerace's cookies.

Moreover, the Examiner's motivation would not motivate one to include the cookies of Gerace in Shapira's system. The Examiner contends that it would have been obvious to combine Gerace with Shapira "because requesting a login from a user enables … the system to identify who the specific user is and what their preferences are if they have set up an account." However, Shapira is not concerned with identifying a specific user nor about having users setup an account. Shapira is concerned with determining the relative value and quality of visitors brought to a site by different advertisements.

Furthermore, the use of cookies, as taught by Gerace does not provide additional security as implied by the Examiner. Instead, the use of cookies is often considered intrusive to user's privacy and preventing the use of cookies is a frequent security measure taken by users. Thus, the Examiner's motivation that utilizing a login and identification system for added security does not support or suggest the use of cookies in Shapira's system.

The Examiner's motivation would not motivate one to include the cookies of Gerace into the system of Shapira. Once wishing to add additional security to Shapira's system would not be motivated to store information in cookies on users' machines. Instead, one desiring to improve the security of Shapira's system would simply require user login by requesting a user name and password, as taught by Gerace.

Moreover, requiring user login by requesting user name and password would not make sense in Shapira's system. Shapira teaches a system for assigning various profiles to users accessing a web server in order to help determine the relative value of various advertising campaigns for a web site. Thus, Shapira is concerned with evaluating how many (and the respective value) of various users accessing a web site via various advertising links to the web site. Requiring a user name and password would surely be

counter to a system intended to determine the quality and value of visitors (not members) to a web site. As described in Applicant's specification, relying on the user of cookies and user registration are considered intrusive to the privacy of computer users. Requiring user login by requesting a user name and password, as taught by Gerace would not make sense in a system designed to analyze visitors visiting a web site via advertising links, as taught by Shapira.

Therefore, for at least the reasons above, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claims 9 and 15.

Regarding claim 12, Shapira in view of Gerace file to teach or suggest a client computer operable to **execute a program to synchronize time**. The Examiner has not cited any portion of prior art to teach or suggest this limitation. In fact, Shapira and Gerace, whether considered separately or in combination, fail to mention anything regarding a client computer executing a program to synchronize time. Moreover, the Examiner has improperly ignored the differences between claim 12 and claim 1. The Examiner merely rejects claim 12 for the same reasons as claim 1. However, claim 1 does not recite anything about a client computer operable to execute a program to synchronize time. The Examiner has failed to address all the limitations of claim 12. Thus, the Examiner has failed to provide a proper *prima facie* rejection of claim 12.

For at least the reasons above, the rejection of claim 12 is not supported by the cited art and removal thereof is respectfully requested.

The Examiner rejected claims 4, 10 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Shapira and Gerace as applied above, and in further view of Bodnar, et al. (U.S. Patent 6,295,541) (hereinafter "Bodnar"), claims 17, 23, 27, 32 and 35 as being unpatentable over Shapira as applied above, and in view of Bodnar and claim 25 as being unpatentable over Shapira as applied above, and in view of Farrow, et al. (U.S. Patent 6,374,295) (hereinafter "Farrow"). Applicant respectfully traverses the rejection of these

claims for at least the reasons presented above regarding their respective independent claims.

Regarding both the §102 and §103 rejections above, Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

Applicant submits the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5596-00200/RCK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard
☐ Petition for Extension of Time
☐ Notice of Change of Address
☐ Other:

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Respectfully submitted,

/Robert C. Kowert/
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